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REISSUE LITIGATION

PTO/SB/52 (08-99)
Approved for use through 9/30/00. OMB 0651-0033
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE		Docket Number (optional) 12665 .46
I hereby declare that: My residence and post office address and citizenship are stated below next to my name. I am authorized to act on behalf of the following assignee: <u>MessagePhone, Inc.</u> and the title of my position with said assignee is: <u>President</u> The entire title to the patent identified below is vested in said assignee.		
Name of Patentee(s): <u>Lawrence R. Biggs, Jr. and Harry S. Budow</u>		
Patent Number <u>5,323,448</u>	Date of Patent Issued <u>June 21, 1994</u>	
Title of Invention <u>SYSTEM FOR ACCESSING AMENITIES THROUGH A PUBLIC TELEPHONE NETWORK</u>		
I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled <u>SYSTEM FOR ACCESSING AMENITIES THROUGH A PUBLIC TELEPHONE NETWORK</u> the specification of which <input type="checkbox"/> is attached hereto. <input checked="" type="checkbox"/> was filed on <u>12/28/00</u> as reissue application number <u>09 / 752,759</u> and was amended on _____ (If applicable) I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.) <input checked="" type="checkbox"/> by reason of a defective specification or drawing. <input type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent. <input type="checkbox"/> by reason of other errors. At least one error upon which reissue is based is described as follows: <u>Regarding Claims 1 and 18, the specification does not comply with the written description requirement with regard to the term "central distribution computer," as explained in Messagephone, Inc. v. SVI Systems, Inc. and Tharaldson Property Management, Inc. 99-1471, - 1478 (Fed. Cir., decided August 11, 2000). Opinion attached hereto.</u> [Attach additional sheets, if needed.] All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.		

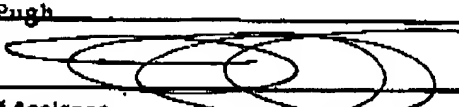
[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



REISSUE LITIGATION

PTO/SB/52 (08-88)
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(REISSUE APPLICATION DECLARATION BY THE ASSIGNEE, page 2)		Docket Number (Optional) 12665 ;46	
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.			
Name(s) David L. McCombs Registration Number 32,271; Jeffrey M. Becker 35,442; David M. O'Dell, 42,044; Warren B. Kice; 22,732; Randall E. Colson, 40,566; Michael D. Paguey, 38,993; Ruben C. DeLeon, 37,812; William R. Waife, 44,962; Phillip B. Philbin, 35,979; Brian J. Hubbard, 45,873; L. Howard Chen, 46,615; Brandi W. Sarfatis, 37,713			
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<input type="checkbox"/> Customer Number	<div style="border: 1px solid black; width: 150px; height: 20px;"></div>		→ <i>Place Customer Number Bar Code Label Here</i>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of person signing (given name, family name) Toel Pugh			
Signature 		Date 4/18/01	
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